

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR197
)	
v.)	
)	
KENNETH SMITH,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on the stipulation of the parties (Filing No. 41). The retroactive amendment to the cocaine base guideline changes the total (final) offense level from 23 to 21. The government and defense agree that the new sentence should be forty-one (41) months imprisonment, based on the prior computation of specific offense characteristics, adjustments, and any departures. Considering the time served and credit for good time,

IT IS ORDERED that the stipulation of the parties is approved and adopted; the sentence of the defendant is reduced to a term of forty-one (41) months. He shall receive credit for all time served. The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 11th day of June, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court